IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2618 OF 2005

Digambar Madhusadan Sawant ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Pradip R. Kadam for the petitioner.
Ms. Geeta Shastri, AGP for respondent Nos. 1 & 2.
Mr. P.G. Karande for respondent No. 3.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 4th December, 2006

P.C.

. Rule. Heard forthwith.

2. The petitioner is owner of a building which was requisitioned by respondent No.1 in 1948. Considering the judgment of the Supreme Court, respondents are bound to pass order of derequisition. In the meantime the State Government in respect of the premises taken on requisition for being allotted to Government employees and others for their residence has amended the provisions of Rent Control Act to provide for protection of those persons, who fell within the parameters of the said amendment. The learned Counsel for respondent No.3 refers to a judgment of Division Bench of this Court in W.P. No. 2177 of 1992 in the case of **Vaidya Pandit Hariprapanna**

Charitable Trust & Ors. V/s. State of Maharashtra dated 25th November, 2004. On the other hand on behalf of the petitioner the learned counsel points out that allottee had vacated the premises before the cut off date and consequently is not entitled for protection.

3. Considering the above contention respondent Nos.1 & 2 to examine said contention after hearing petitioner and respondent No.4 and thereafter to pass appropriate orders according to law at any rate within twelve weeks from today.

4. Rule made absolute. No order as to costs.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]